

56-P

G. R. S. 58]

Previous references.

S-R 70 of 97

1903.

File No. 152 of 03

Serial Nos. 1-14

Later references:

(Separate Depenue.)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-14

-Part B for May 1901

SUBJECT.

Import of malt liquor into the State

Sl. 1. From

The J. A. Resident

No. 11525-D1 18-9-03.

Forwards for disposal duplicate
permit No. 24 for the export of 2 gals of
malt liquor to the Solar Gold Fields

Sl 52 To

The Ex Bomer

No. 299. Dt. 7-10-03
forwards copies of the above
(sl. 5) for information

Sl. 3 From

The First Asst. Commr
Resident in Mysore
No. 4869. 8-10-03

forwards duplicate permit
No. 26 for use export of malt
liquor.

Sl. 4 From

The Ex Bomer

No. $\frac{2930}{139}$. 10-10-03

States that no country beer is
allowed to export except for
sale in the licensed taverns
under conditions 7 (1) in Govt
Notification $\frac{593}{27.545}$ Dt. 30-6-02

Sl. 5 From

The First Asst. Commr
Resident in Mysore

No. 5043. 17-10-03

forwards duplicate permit
No 27 for use export of malt
liquor (4 cts.) to the G. L. F.

Sl. 6. From

The First Asst. to the
Resident in Mysore
No. 5647. Dt. 18-11-03

Forwards for disposal a
duplicate permit No. 32
for the export of 8 gals. of malt
liquor to the H. S. Z.

Sl. 7. From

The First Asst. to the
Resident in Mysore
No. 6004. Dt. 7-12-03

Forwards for favor of remarks
copy of a letter from the Collector
of Nilgiris regarding the im-
port of country beer into the
Mysore State.

Sl. 8. To.

The Ex. Commr
No. $\frac{491}{E 7.44-97}$ - 8-1-04

Requests to report his opi-
nion regarding the import
of the Nilgiri beer for pur-
poses other than for sale.

Sl. 9 From

The Ex. Commr
No. $\frac{5868}{230}$ 19-1-04

Submits his opinion on
the subject of Nilgiri beer
for purposes other than
for sale.

Office of the Dewan of Mysore

File No. (if any)

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

SECTION: <i>Office Note.</i>
FILE NO. <i>152</i>
Branch: <i>Special</i>
DATE: <i>7.4.97</i>

Subject *Letter no 2930 of 10.10.1903. from the Excise Commr in Mysore in re the importation of country beer into the State*

The Residency forwarded a duplicate "permit" issued by the Collector of Nilgiris for the export of 4 fallons of malt liquor in bottles from the Rose and Crown Brewery to the Kolar Gold Fields, for favour of disposal by the Durbar and it was forwarded to the Excise Commr in Mysore.

With reference to the above the Excise Commr invites attention to Sec 7 of the Excise Regulation whereby "no Country beer can be allowed to be exported except for sale in the licensed taverns under the condition 7(c) of Fort Stiff."

n^o 593 of 30.6.02
Ex. 7595

Another "permit" no 26. for a similar export of 8 fallons of malt liquor from the June Brewery to the Kolar Gold Fields has been forwarded by the Residency and is pending disposal.

Submitted for orders.
9.2.10.03.

MB

Draft of a letter to the Resident
by - (drawing attention
to the provisions of Regs & rules
and saying that such im-
port is not permitted)
submitted for approval

Hung
26/10/3

P. and L. P.

2/11/3

Issued submit
afterwards -
Hung

5/11/3

The approved draft was accordingly issued
under n^o 368 of 6.11.1903.
Ex 41-97

The First Asst Resident while forwarding
another duplicate permit n^o 32 from the
Collector of Nilgiris, with his letter n^o 5647 of 18.11.1903
stated that the copy of this Office n^o 368
Ex 41-97 of 6.11.1903

inviting attention to Sec. 7 of the Excise Regs and to the
condition ~~see~~ under 7.(1) of Fort Wotter n^o 593
of 30.6.1902. in re the prohibition of the ~~import~~ ^{Ex 593}
import into the state of "Country beer" except for
sale in the licensed taverns; it was forwarded
to the Collector of Nilgiris.

In the present reference the first
Assistant Resident forwards copy of

letter

of letter 201936 of 1.12.1902 from the Collector
of ~~the~~ Nilgiris for favour of remarks

The Collector states that he does not
find anywhere in the Excise Regulation
or notification (No. 539 of 30.6.1902) that
such liquors (Country beer) should not be
imported except for sale in licensed
taverns and that Condition 7(1) referred to
merely allows the sale of Nilgiri beer in taverns
but does not prohibit its import into Mysore
by persons who are not holders of licensed
taverns. He requests to be furnished ^{with} rules
which particularly prohibit the import of
Country beer into Mysore for purposes
other than for sale in licensed taverns.

A draft forwarding copy of the
Residency letter ^{to the Excise Officer} and calling for
the expression of their opinion in the
matter is submitted for favour of approval

21/12/03.

21/12 But surely we can find the
answer from the Regulation &
rules. Let me see please

Also in the draft you
need not send copies of Resd
Comm. but put in their purport

20/12/13 H---

21/12/13

Sealed

4

note up

page 63 of the old &
new

The old License Act (Regn. III
of 1855) contained a section (23)
prohibiting the import of
liquor without payment of duty,
& without a pass from an officer
of the State authorized to issue
such passes & there was also
Act No 3107 of May 1889 which
provided that Act prohibiting
the import of Country spirits
& Country fermented liquors
without the payment of duty,
but Sec 6 of the new License
Act (Regn. V of 1891) merely lays down
that subject to the order of
Court the Wyandottaw may from
time to time permit the import
of liquor or intoxicating drugs,
on payment of the duty if any to
which the same is liable
under this Regn, & on such
other terms as he thinks fit
may cancel such permission
No notification or subsidiary
rules have been issued under

this section ^{however} See 2 of the new
Regn repealed only the old excise
Act but not any of the Rules
framed thereunder. Therefore
applying Sec. 24 of the General
Clauses Regn () the
rule of 9th May 1889 refd to
alone wd seem to be in
force as it is not in consistent
with any of the provisions of
the new Excise Regn. Even
then the import of liquor
is not objectionable if duty
is paid on it. as intimated
to the Jt Resident in this office
no 4295 - 4.7.5.95 of 27 Nov 00
It is not clear whether such
duty is levied on beer imported
under the permits in question

Reg A

under

through the Country been
rules (Note no 593/4.7.5.95 of
30/6/02) are framed under
Secs 16 24 & 29 of the New Regn
no express power has there
been made prohibiting the
import of liquor except for
sale in a licensed tavern. -

Copy number

from
The question of taking out
licenses by the Clubs allowed
by para 8 rule II of the Foreign
Legist rules (note no 11469 2073 or
of 10/1/02) does not extend to
Constituting been

With the foregoing facts
the question to be decided is
whether the report of
legist been from telegram
by the Honry Secy Nolan Cold
Fields Club Bangalore is
objectionable & whether
the contention of the case
concerning that it cannot be
supported except for sale
in licensed taverns & whether
this contention is supported
by para 6(1) of the Constituting Rules
or by any other -
A person has to go to the residence
only for orders The best course
will be to issue a notice
under sec 6. Correspondence C
with the old Sec. 23 of the
old act & the statu. of 1889

Order for orders

2/1/04

7
Subd to this, Sec 123A

The question at issue is whether Country liquor can be imported from the Nilgiris into the state for private consumption without payment of duty.

The only distinct ruling available on the subject seems to be Rule II (b) of Notification No 31 d. 9th May 1889, under the old Excise Regulation. As stated in the above office note above these old notifications would still seem to be in force.

Rule II (b) lays down that all Country spirits and Country fermented liquors shall pay an Excise duty to Govt and no such Country spirit or liquor shall be imported into the limits of Mysore without the payment of such Excise duty.

But on the other hand it might ~~be~~ be contended that since the

Notification in question refers expressly
in terms to the grant of licenses
for the vend of Foreign spirits and
Foreign fermented liquors, the prohibition
contained in Rule II (b) applies only
to such licensees and not to private
consumers.

Draft of a letter to the Excise
Comm is also enclosed for approval.

68
6.1.04.

Issue letter to S.C.C. & await
reply from
8/1/4

The Excise Commis reply No. $\frac{5868}{230}$
of No 1-04 is herewith ruled. In this
it is argued that the inference
drawn by the Collector of Nilgiris
that the permission granted
to the 2 Tavern keepers in Madh. G.
fields to import & sell Nilgiri
beer is not a restriction to others
is simply fallacious, not today
simply superficial

Although there is nothing in
our Regn or Rules expressly
prohibiting the import of
Cunning beer, yet the beer
imported by the Club in N. L.
Fields is sold to the members
thereof & such sale is an
offence under Sec. 15. Moreover
as the Club imports beer without
licence or permit possession
by the Club of the beer in excess
of $\frac{1}{4}$ gallon is also an offence
under Rule No 3245 - E. 7. 3 - 01. of
14/12/01 - It is also ruled that

~~our sections by and only the~~
~~provisions of these sections in~~
~~the Madras Ale & Beer Act of~~
the ~~existing~~ ^{in our new act} sections ^(6 & 7) had
^{so amended as to} been ^{corrected} ^{to} ^{fixed} with Sec. 23 of the old
act. There
would not have been this offence
ruled for.

The Enquiry Comm. promises a
report on the subject of separate
orders to be issued under Sec. 6
of our act.

It is not clear in what terms

a reply is to be sent to the Presidency
Sd/- for orders

22/1/04

The Excise Commr. lays stress
on the fact that the Exclusive Privilege
of selling country beer in the Gold
Fields, was put up to auction &
granted to the holders of the present
two taverns, under Rules framed
under Sec. 29 of the Regulation.

22/1/04

There is another file in which I
remarked that it has connection
with this question - the Chief
Commr. has decided on some point
about importing foreign country
liquor. Please consider the
two together & submit a draft

reply.

H. M.
31/1/04

I am afraid our law is
defective - I lay down
the assumption that the Chief
Commr. has correctly interpreted
- I noted Section 6 of the
Regulation. The Rule &
Notification by the Commr.
cannot cure the defect - It does
not follow that because

File linked
& Sd/-
22/1/04

the "exclusive privilege of
 selling" has been granted to
 A. The import by B under
 a "permit" from the local
 authority is illegal. If
 the person importing proceeds
 to sell the liquor imported
 a case can perhaps be
 taken against him under
 Section 15 of the Regulation.
 This however is not the question
 which the Govt has now before
 it. I do not quite see how
 the collector of Neilgiri can be
 asked not to permit ^{the} exportation of beer
 from Adairamund for
 importation to the Kolar
 Gold Fields. The safe course
 open to us is to amend
 the Regulation so as to
 prohibit import without
 permit & payment. In the
 other case from Jaipur, I have
 asked the Legislative Dept to
 make the necessary draft
 - In the meantime the
 President may be informed in
 answer to his communication
 that a doubt having arisen as
 to the interpretation of Section 6
 of ~~the~~ Regulation, the question
 of removing it by amending
 the law is engaging the

hope continued 13

749 G. - Referring to this office No. 551
R.F. 41-92
of the 8th Febry 1904, stating that the
question of amending Sect. 6 of the
Mysore Excise Regulation V of 1901
is engaging the attention of the
Durbar, the F. A to the Resident
enquires in his letter No 2281 of
5/5/04 (now under disposal) whether
there is any specific objection to
the collectors of Nilgiris granting
permits for the import of Nilgiri
beer into Mysore until the ^{proposed} amend-
ments to the Excise Regulation, is made.
Section 6 of the existing Excise Regs
runs down as follows: -

"Subject to the orders of the Govt.
the Deputy Commr. may, from time
to time, permit the import of liquor
or intoxicating drugs or any kind
of liquor or intoxicating drugs, on
payment of the duty" - - - -

In the Rules prescribed for the

Safe of country been nothing has been
said regarding the importation of
Countrymen. It is therefore Sect.
6 of the Act. V of 1901 alone which
is applicable to and governs the
case. As pointed out in the pre-
vious notes, the ~~old~~ rules under
the old case ~~was~~ ^{Act}, which
have not been repealed though
the ~~Act~~ ^{Act} itself has been kept
~~down~~ ^{certain restrictions regarding} the importation of Country
men into Mysore. The office notes
show that - this question has been
fully discussed and ^{that} the 2nd Council
found that - the existing rules were
defective in this regard and con-
sequently a draft Amendment
of Sect. 6 was prepared. This
it would appear has been sub-
mitted to the Imp. Govt. for sanction.

So as things stand at present,
a permit issued by the Collector of
Mylapoor will not under the existing
law have force as such an Impone.

15
The issue of permits by the Collector
of Virginia will no doubt facilitate
the importation of beer from that State.
But there is the question of duty. The
whole of the duty on the quantity
imported and ^{at least} half of the fees so
received from the applicants
ought to be asked to be credited to
the Treasury Govt.

The Special Commissioner's views
may, it is submitted, be with
advantage ascertained in
this connection.

Mr.

6-5-02

Put up Draft / 10 hands
a copy of the ~~Exline~~ ^{Exline} ~~and~~ ^{and} ~~the~~ ^{the} ~~letter~~ ^{letter}
to the Exline ~~and~~ ^{and} ~~the~~ ^{the} ~~letter~~ ^{letter}
from of his opinion

6/5/02

Mr. Timmon
Please arrange the
papers in this file &
write up the list.

16 Note-Continued

The Excise Commissioner has submitted his opinion in re the importation of Nilgiri beer into Mysore, called for in this office No 733 of the 6th R.F. 41-97 wish.

He states that-

(1) Nilgiri ^{beer} cannot be imported into Mysore for any other purpose than Sale, until specially permitted by Govt under Sect. 6 of the Excise Regn.

Also 11, IV,
Vide paras 6 & 7 of
Ex. Commr's letter No
5868 of 24 1.04
230 20

(2) As regards importation for sale, none but the auction purchaser of the privilege of selling beer can import beer ^{for that purpose}. He can get his supplies either from the breweries in the Co. or Station Bangalore or the Nilgiris. The importation is regulated by Govt. Notifn No 593 of 30.6.02. Ex. F. 5-95

also para 3 of Secy's letter
to F.A. Resident No 4298
Ex. 5-95
of 27/11/02

(3) The importation of Nilgiri beer by any ~~other~~ person than the licensed Vendor ~~person~~ will seriously affect the vendors and lead to complaints & claims for remission.

(4) The grant of remission to export beer from the Nilgiris by the Collector of that place, independent of the Deputy Commissioner of the place of import in Mysore, led to various abuses, in the past.

Vide Camp No 133 of
12.1.00

The

453 of 239.03

1902-3

From

THE FIRST ASSISTANT TO THE
HON'BLE THE RESIDENT
IN MYSORE.

To

Pol: 447.
THE DEWAN OF MYSORE.

Dated 18. 9. 03

Despatched

Received

General No: 4625

No:

Enclosure No: 1

Forwtd by original duplicate
permit no. 24 for the export-
of 4 gallons of malt-liquor in
bottles from the Rose and
Crown Brewery to the Kolar
Gold Fields issued by the Collector
of Nilgiris

Ex. 7. 41
97

Drafted
true
28/9.

References to be marked.

Ex.

recd.
239.03.

SECTION	S R
FILE NO.	152 of 03
SUBJECT	\$

MGCPB-1,000-5-6-03

Office Draft. (Docket.)

Mysore Government,
Secretariat, General & Revenue
Excise Branch.

To

Messrs. Conny
in Mysore

SECTION	S. 11
FILE No.	152-03 780897
SUB No.	8

Date of passing the draft

Date of despatch

7-6-03

Regd. No.

File No. & date (if any)

299
4

No. of Encls.

1 herewith ✓

Has the honor
to forward herewith
duplicate permit no.
24 for the export of
4 gallons of malt
liquor in bottles from
the Rose & Crown Brewery
to the Kolar Cold
Fields, issued by the
Collector of Nilgiris,
received with the
J.A. Resident's Memo.
no. 4525 of 18th Sept 03
B.C.

True 20/9/03

For Secy

Ex 182 of 15-10-03



1902-3

From

THE FIRST ASSISTANT TO THE
HON'BLE THE RESIDENT
IN MYSORE,
To *Pol. 550.*
THE DEWAN OF MYSORE.

SECTION *S. R.*
FILE NO. *152-03*
197
SERIAL NO. *3*

Dated *8. 10. 03*

Despatched

Received

General No: *4869*

No.

Enclosure No. 1

*Forwarding duplicate permit-
no. 26 for the export of 8 gallons
of malt liquor in bottles &c.*

References to be marked.

Excise

MGCPB-1,000-5-6-03

SECTION S. R.
 FILE No. 153-03
 SERIAL No. 24



41798/15.10.02.

(32)

From J. N. Murugaya Esq. B.A.
 Excise Commissioner

To H. V. Kanjandappa Esq. B.A.
 Secretary to the Government of His
 Highness the Maharaja of Mysore
 General and Revenue Departments

Dated 10th }
 Despatched 13th } October 1903.

Received

General No. 2930
 No. 139

Enclosure No

Subject.

With reference to Secretary's
 Docket No. 299, dated the 7th
 instant, states that as per
 section 7 of the Excise Regulation,
 no country beer can be allowed
 to be exported except for sale in
 the licensed taverns under
 Conditions 7(i) in Govt. Notification
 No. 543, dated 30th June 1902.
Ex-7545
 and solicits that the Collector
 may be informed accordingly.

import.

444

15.10.02

12 No 2930
139
From

Excise Commissioner's Office
Dated Bangalore 10th October 1903
13th

A. N. Kurumaya Esquire B.A.

Excise Commissioner in Mysore.

To

H. V. Hanjandayya Esquire B.A. B.L.
Secretary to the Government of
His Highness the Maharaja of Mysore
General and Revenue Departments.

Sir,

With reference to your Docket No.
299, dated the 7th instant, I have the
honor to state that as per Section 7 of
the Excise Regulation, no Country beer can
be allowed to be exported except for sale
in the licensed taverns under Condition
7(1) in Government Notification No. 895
dated 30th June 1902. I beg to solicit
that the Collector of Nilgiris may be
informed accordingly.

I have the honor to be
Sir,
your most obedient servant
M. S. S. S. S.
Excise Commissioner

The Mysore Resident's Office,

Bangalore, 17th October 1903.

No. 5043

Enr

M e m o.

The accompanying duplicate permit No. 27 for the export of 4 gallons of malt liquor in bottles from the Rose and Crown Brewery to the Kolar Gold Fields, issued by the Collector of Nilgiris, is forwarded to the Dewan of Mysore for favour of disposal.

[Signature]

First Assistant Resident.

28.

13474
17.4.03

[Signature]
17/10/03
und
22.7.03

Ex 241 of 23/11/03.
Vol: No 771 & 29-11-03

1903-4

24

SECTION S. 7
FILE NO. 162-03
SUBJECT to 6

From

THE FIRST ASSISTANT TO THE
HON'BLE THE RESIDENT
IN, MYSORE.

To

THE DEWAN OF MYSORE.

Dated 18

Despatched

Received

} November 1903

General No.

No.

5647

Enclosure No.

one

Forwarding for disposal
duplicate permit for the
export of Malt Liqueur
from the Rose & Crown Brewery
to Mr P. Rosworth Smith
of Coorgum and stating
that a copy of this office
letter no 368 / R & dated 6th
instant was forwarded
to the collector of Nilgris.

References to be marked.

MGCPB-1,000-5-6-03

Rev:

ices
23/11/03.

No. 5647

14134
19.11.03

FROM

R. C. H. MOSS. KING, Esq., I. C. S.,

FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Dewan of Mysore.

Dated Bangalore, 18th Nov 1903.

SIR,

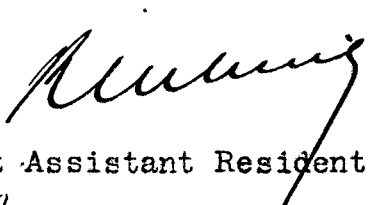
I am directed to forward for disposal the accompanying duplicate permit No. 32, dated the 10th November 1903, for the export of 8 gallons of malt liquor in bottles from the Rose and Crown Brewery to Mr. P. Bosworth Smith of Oorgaum.

2. A copy of Mr. Nanjundayya's letter No. 368/R.F. 41-97, dated the 6th instant, was forwarded to the Collector of the Nilgiris on the 16th instant.

I have the honour to be,

Sir,

Your most obedient servant,


First Assistant Resident.
M.S.J.

37

Letter No. 1956, dated the 1st December 1903, from the
Collector of the Nilgiris, to the 1st Assistant to the Resident
in Mysore.

In acknowledging receipt of your letter No. 5591,
dated 16th November 1903, I have the honour to observe that,
although the letter from the Mysore Durbar No. 368/R.F.4197,
dated 6th November 1903, distinctly states that no country beer
can be allowed to be imported into Mysore except for sale in
licensed taverns, I do not find anywhere in the Excise Regula-
tion or notification which accompanied your letter that such
liquors should not be imported except for sale in licensed
taverns. Condition 7(1), referred to in the latter part of the
Durbar's letter merely allows the sale of Nilgiri beer in taverns
but does not prohibit its import into Mysore by persons who are
not holders of licensed taverns.

2. I request that you will be good enough to furnish me
with such other rules as you may have which particularly prohibit
the import of country beer into Mysore for purposes other than
for sale in licensed taverns.

3. Section 7 quoted in the letter of the Durbar appears to
be a mistake for Section 6.

The Mysore Resident's Office,

No. 6004.

Bangalore, 7 December 1903.

Copy of the foregoing letter is forwarded for the information of the Government of His Highness the Maharaja of Mysore, with reference to Mr. Nanjundayya's letter No. 368-R.F.41-97, dated the 6th November 1903, and for favour of remarks.



For First Assistant Resident.

105

Recd 8/12/03 H

H. =

14587
85.12.03
36026
Recd
9.11.03

(14)

Ex 300 of 21/1/04.
1904.

31

From J. A. Purnanaga Esquire B.A.
Excise Commissioner

To H. V. Nayandiah Esq. M.A. M.L.
in Mysore.
Secretary to Government
General and Revenue Depart-
ments

SECTION	S R
FILE NO.	153-0
SERIAL NO.	13

Dated 19th }
Despatched 20 } January 1904

Received

General No. 5868
No. 230

Enclosure No

Subject

In reply to Secretary's No:

491 dated 8th instant -
R. F. 41197

reporting on the subject of the
importing of Kilgore Beer for
purposes other than for sale.

Recd
21.1.04

Note could be sent
with the file
True
22/1/04

3701

No. 5868
230

Excise - Commissioner's Office
Bangalore, dated 14 January 1904
20

From

P. N. Purnaiya Esquire B. A.

Excise Commissioner

in Mysore.

To

H. V. Nanjundiah Esquire M. A. M. L.

Secretary to Government

General and Revenue Departments

Sir,

With reference to your No. 491 dated
R. F. 41-97

8th instant as regards importation into the
Mysore State of Kilgini beer, for purposes other
than for sale, I have the honour to submit
that according to provisions of Section 6 of our
Excise Regulation V of 1901, the Deputy Commissioner
may from time to time, permit the
import of any kind of liquor subject to the
orders of Government on payment of the duty,
if any, to which the same is liable under it
or on such other terms as he thinks fit.

2. Under Section 3 of the Excise Regulation

liquor

33

liquor is defined so as to include beer and
all liquid consisting of or containing alcohol.
and in clause 10 thereof Beer is defined as
including all other fermented liquors usually
made from malt.

3. Further the provision of the Madras Ach. Cor-
responding to Section 6 of our Regulation is to
be found in Section 7 of the Madras Abkari
Act I of 1896, where it is provided that sub-
ject to the orders of Governor in Council, the
collector may from time to time permit the
export of liquor or any kind of liquor on
payment of duty to which the same is liable
under the act and on such other terms as he
thinks fit. It will be seen from this that
while in Mysore the permit of an officer corres-
ponding to the collector is provided for before
any liquor can be imported, Similarly corres-
ponding export has to be permitted by the
collector who is the corresponding officer in
Madras to our Deputy Commissioner, and it
is

30

4 The Collector's action in Madras appears to

15. Under Rule 7(1) of our Notification No.

Lein granted to these is not a restriction to

35'

owners is simply galling, not to say -
simply superficial. It cannot certainly
be meant that any body can import and
sell beer. If he did so the present Excise
Law contains ample provisions for punish-
ing men who sell such liquors without license.
Vide Section 55 of the Excise Regulation. These
remarks are necessarily confined to importa-
tion for sale.

5. With regard to importation for purposes
other than for sale in taverns, such purpose
can only be private consumption. This has
all along been permitted in practice, provided
the person requiring the liquor for his pri-
vate consumption obtained the Deputy
Commissioner's permission which is to be
granted within his discretion, judging
the quantity applied for, for which duty
under Government Proceedings No: 6377-80
Rev: 1113
dated 27th February 1880 at 2 annas per gallon
has to be paid. Preventive measures had only

to be adopted when under colour of such private consumption, Cooly Mestries were permitted to import not only for themselves, but also for the consumption of coolies, which manifestly caused a loss to Tavern Licenses.

7. As no orders have been issued by Government under Section 6 of the Excise Regulation regarding the importation of liquors for private consumption, I submitted that the Nilgiri Beer cannot be imported into Mysore for purposes other than for sale.

8. I am separately submitting to Government a motion for issue of orders on lines analogous to those issued by the Madras Government under corresponding section of the Madras Excise Act.

I have the honour to be,
Sir,

Your most obedient servant,

R. G. Prallela

Excise Commissioner,

Mys in Mysore

37

no. 4551
R.F. 41-92
7/8/2/04

STATION S. R. 112-03
FILE NO. 9-079972
SEP 19 19

Jo

The first host to the
President in Nya

Si,

Adverting to Correspondence
ending with your Endorsement
no 6004 of the 7th Dec^r 1903.
in regard to the inspection County
beer into Mysore without
a permit from the Mysore author-
ities, I am directed to state
that a doubt having arisen
as to the interpretation of
section 6 of the Mysore Excise
Regn, V of 1901, the question
of removing it by amending
the law is engaging the attention
of the ~~author~~ and that a
further communication will
be addressed to you in due
course.

I have etc

Q 204
I think a lot of
this was his deal
to the by town for
information - ll

5. II. 04

Уд 6/2/04
Рд 9/2/04

6/2/04

the Secret

To The Deacons

22 54 564 7/11/2/04.
Rt 41-92

Copy forwarded

to the Exchequer

with reference

to his letter no 5868
230

of 19th January 1904

Be

W 11/2/04

For a H. J. Semblor

1800
11.2.04

(16)

Urgent

Ex 423 of 6/5/04

1903-4

29

From

THE FIRST ASSISTANT TO THE
HON'BLE THE RESIDENT
IN MYSORE.

To

Pol. N-1708 of 6/5/04
THE DEWAN OF MYSORE.

Dated

6-5-04.

Despatched

Received

General No. 2281.

No.

Enclosure No.

Enquiring whether there is any specific objection to the Collector of the Nilgiris granting permits for the import of Nilgiri beer into the Mysore State until the Sft. Regula to further amend the Mysore Excise Regula V of 1901 has been passed into law.

References to be marked.

Excise

Handwritten signature
The Mysore Government,
General & Revenue Secretariat,
Revenue Branch.

41
Office-Draft. (Docket.)

To

*The Excise Commr.
Mysore*

Date of passing the draft

Date of despatch

Regd. No.

File No. & date (if any)

No. of Encls. /

*In forwarding^a copy of letter
no 2281 of 5/5/04, received
from the Fin. Asst. to the
Honble the President, has
enquired whether the Commr.
has any specific objection
to the Collector of Nilgiris
granting permits for the
import of Nilgiri beer into
Mysore, until the proposed
amendment to Sect. 6 of
the Excise Regulation V of 1901
is effected, has the Commr.
to request that he will be
so good as to favour Govt
with his opinion on the*

4
F. A. Residents' Inquiry,
at an early date.

B.O.

h

In Offg. Jersey-

M
1-1890

T. any
1315

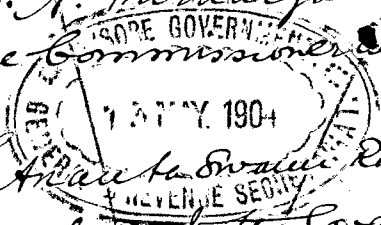
Serial	S. R.
File No.	132-03
Date	7-2-97
Page	13

190

4428

4/13/5/24

From P. N. Purnaiya Esquire B.A.
Excise Commissioner Mysore.



To Mr. A. K. S. Rao Esquire B.A.
Offg Secretary to the Government
of His Highness The Maharaja of
Mysore, General and Revenue
Department.

Dated 12

Despatched

Received

General No. 8309

No. 320

Enclosure No

Submitting the Excise Com-
missioner's opinion in re the
import of Dilgiri beer into
Mysore

I 4 K
12,8309
320
18

Office of the Excise Commissioner.
In Mysore.

Dated Bangalore $\frac{11^{th}}{12}$ May 1904.

From P. N. Purnaiya Esquire B.A.
Excise Commissioner in Mysore.

To L. Ananta Swami Rao Esquire B.A.
Offg Secretary to the Government of His
Highness the Maharaja of Mysore,
General and Revenue Department.

Sir,

I have the honor to ac-
- knowledge the receipt of your
- No. 733 dated 6th instant for-
- warding for my opinion Copy of letter
- No. 2281 dated 5th & dem from the
- first Assistant to the Honorable
- the Resident in Mysore enquiring
- whether there is any specific ob-
- -jection to the Collector of the
- Nilgiris granting permits for the
- import of nilgiri beer into
Mysore

II

~~Unauthorized~~

Mysore, And in reply to Submitt⁵
that, as already reported in para 7 of
my letter no. 5868 Dated 10th January
230
1904, neither Nilgiri beer nor any
other Country Spirit Can be imported
into Mysore for purposes other than
for sale until the Government pass
the necessary orders under Section 6 of
the Excise Regulation V of 1901.

2. As regards the importation of
the Nilgiri beer for sale, I beg to state
that the privilege of selling "Country
beer" under which head comes Nilgiri
beer, is regulated by Government Notifi-
cation no. 593 Dated 30th June
Ex-F. 595

1902, and is annually sold by
public auction. None but the ac-
cepted purchaser of the privilege can
sell beer. The current year's purchasers
of

It is not
correct to
say that
import cannot
be prevented
under the section
is amended

~~Unauthorized
sale is
prohibited
by law~~

4 Of the privilege in the Bowring & Co
Salut are at liberty, that is, have
the privilege to get their supplies from
the Breweries in the Civil and Military
Station or on the Nilgiris and the
importation of Nilgiri beer by
any body else will seriously affect
the aforesaid purchasers and lead
to claims for remission and to
various complaints. The practice of
the Collector of Nilgiris allowing
exports independent of the permit of
the local Deputy Commissioner
led to abuses and a sort of touting
sprang up. A Eurasian gentleman
by name J. J. Fitz Patrick went
on soliciting so called private orders
and importing indifferent beer largely
even Cooly masters were canvassed
by this person and he was making

III
Gulshan

a trade in it without a license
to vend. It need not be said that
this went on trenching on the just
revenue of the State.

3. If the ~~act~~ is amended as
submitted in my no. 6088 dated
240
29th January 1904, there will be no
difficulty whatever for ~~bona fide~~
^{bona fide} importation for private consumption.

I have the honor to be,

Sir,

Your most obedient servant

M. M. M. M.

Excise Commissioner.

M. M.

~~Russia Draft~~

~~Office Draft (Letter.)~~

48

Mysore Government,
General & Revenue Secretariat.

To

R.C.H. Moss King, Esq., I.C.S.,

First Assistant to the Hon'ble
the Resident in Mysore.

Date of passing the draft

Date of despatch

24/5/04

Regd. No.

No. 764

File No. & date (if any)

27.4.92.

No. of Encls.

S. R.
152-703
70-2-997
S. 184

This explains
the position more
fully than the
first draft &
may be used
1675704

Sir,

I am directed to reply to your letter
No: 2281 dated 5/5/04 enquiring whether
there is any specific objection to the
Collector of the Nilghiris granting permits
for the import of Nilighiri beer into the
Mysore State, until the Mysore Excise Regu-
lation V of 1901 is amended.

2. So long as Section 6 of the Mysore
Excise Regulation V of 1901 remains ~~object-~~^{defectively}
~~ively~~ worded, as at present, the Durbar, in
view of the Chief Court's construction of
the Section, are unable to say that the im-
port of Nilighiri beer into the Mysore State
without a permit from the Deputy Commissioner
is an act in contravention of the Regulation
In view of the inconvenience caused, I am

18741

und

20.5.04

15704

19

to request the favor of your obtaining the early sanction of the Government of India to the passing of the amending Regulation forwarded to you with this office letter No: 137/Legis.2-04 dated 17/2/04.

3. In the meantime, the Durbar beg to deprecate the issue of permits by the Collector of the Nilgiris for the import of beer into the Mysore State for the following reasons:

(1) Prevention of abuse resulting in loss of revenue to the Mysore State.

(2) the act ceases to be an import as soon as the consignment covered by the permit reaches the Mysore frontier so that the carriage of the beer from that point to the Kolar Gold Fields or any other place in the State becomes a transport within the meaning of clause (17) of Section 3 of the Excise Regulation and such transport is an act prohibited by Section 10 in case it relates to a quantity exceeding one imperial quart which is the maximum allowed to be transported without the Deputy Commissioner's permit or license under Notification

No: 9245/Ex.F.3-1901 dated 14/12/01

(3) Possession in Mysore of beer thus imported in case the quantity exceeds one imperial quart, is likewise an act forbidden by law (vide Section 13 of the Regulation and the Notification referred to above).

(4) The sale in Mysore of liquor without a license from the Deputy Commissioner is prohibited by Section 15 of the Regulation.

Copy attached.